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Speak up & be heard

Food & Drug Administration (FDA) recently issued the 3rd major phase of its program to revise food labeling practices. Goal of this program is to improve the nutritional & other information offered to consumers by food labels. Included in these materials are 11 final regulations, 3 clarifications of present regulations & 5 proposals on which FDA request comments. Several of the final regulations were proposed in January when FDA introduced this food labeling program [CONSUMER NEWS: Feb. 1]. Other highlights of this phase of the program are below.

Imitation foods

Food & Drug Administration (FDA) has issued a final order clarifying & limiting the use of the phrase "imitation food."

This regulation is a response to a recommendation from the White House Conference on Food, Nutrition & Health (1969), which suggested that "oversimplified & inaccurate terms, such as 'imitation,' should be abandoned as uninformative to the public."

Under the regulation, the phrase "imitation food" could be used only if a food product is a substitute for another food that it resembles & to which it is nutritionally inferior.

A food could not be labeled "imitation food" if it were a substitution for another food that it resembles but is not nutritionally inferior to that food. In this case, the label could carry a new name that is not false & misleading but, rather, is fully descriptive & informative to consumers.

Manufacturers who order labels after Dec. 31, 1973, for such products must comply with this regulation; after Dec. 31, 1974, all labels on such products must comply.

Details—*Federal Register:* Aug. 2, page 20702.

Flavored foods

Food & Drug Administration (FDA) has issued a final order to standardize the labeling of spices, flavorings, colorings & chemical preservatives. The regulation clarifies FDA's policy & sets up a system to make labeling of all these products consistent as well as clear & informative for consumers.

Points covered include the following:

- Products containing natural flavor—that is, the essential oil or extract taken from a spice, fruit or fruit juice, herb, bark, bud, root, leaf, meat, fish, poultry, eggs, dairy product—shall be labeled: for example, "strawberry flavor" or "natural strawberry flavor."
- Products containing artificial flavor—that is, flavor not derived from any of the above-named natural sources—shall be labeled: for example, "artificial strawberry flavor."
- If a product contains both kinds of flavoring, the label shall be specific, such as "natural & artificial strawberry flavor."
- "Spice" shall mean any aromatic vegetable substance in whole, broken or ground form usually regarded as a seasoning, not a nutrient. A spice may be labeled "spice" in addition to its usual name.
- Monosodium glutamate used as an ingredient in food shall be named on the label.

Any artificial smoke flavoring used as an ingredient may be declared on the label as artificial flavor or artificial smoke flavor. No representation may be made that a food flavored with any artificial smoke flavor has actually been smoked or has a true smoke flavor.

Also included in the regulation are definitions of the terms "chemical preservative" & "artificial color."

Manufacturers who order labels after Dec. 31, 1973, for such products must comply with this regulation; and after Dec. 31, 1974, all labels on such products must comply.

Details—*Federal Register:* Aug. 2, page 20718.

Cream pies & gelatin

Food & Drug Administration (FDA) has issued a final order that sets standards of microbiological quality for certain frozen cream pies & for gelatin packaged as a food product. Cream pies affected are banana, coconut, chocolate & lemon.

The order requires that if the microbiological quality of any such products falls below the standards specified, the product label must carry the words "Below Standard in Quality." Further, the label must indicate precisely how the product deviates from the standards; examples of label statements are "Excessively turbid," "Contains excessive bacteria," "Abnormal color."

Effective date for this order is Feb. 4, 1974.

Details—*Federal Register:* Aug. 2, page 20729.

Restructured foods

Oct. 1 is deadline for comments on **Food & Drug Administration's** (FDA) proposal to establish distinctive names for certain packaged foods that appear to be traditional foods but are manufactured by new processes.

Such foods are often labeled & sold with the same common name as the traditional foods they resemble, thus creating confusion among consumers.

"Onion rings," for instance, might be used as the name for a restructured food made from fresh chopped onions that have been pressed into the shape of a ring. This food is thus made to resemble a true onion ring, which is actually one ring of a sliced onion.

Other examples of restructured foods are "potato chips" made from dehydrated potatoes formed into the shape of potato chips (as opposed to chips sliced from raw potatoes) & "fried clams" made from chopped clam pieces (as opposed to whole fried clams).

A major purpose of this proposal is to enable consumers to avoid confusing such foods with the traditional

foods they resemble.

Under the proposal, the following names would be established for various restructured foods:

- "Onion Rings Made from Diced Onions,"
- "Fish Sticks (or Portions) Made From Minced Fish,"
- "Fried Clams Made from Minced Clams,"
- "Breaded Shrimp Sticks (or Cutlets) Made From Minced Shrimp,"
- "Potato Chips Made from Dehydrated Potatoes."

These names would have to appear on the package labels.

Details—*Federal Register:* Aug. 2, page 20746. Send comments to Hearing Clerk, Health, Education & Welfare Dept., 5600 Fishers Lane, Rockville, MD 20852.

Foods packaged as 'main dishes'

Food & Drug Administration (FDA) has issued requirements for names & labeling of packaged foods to be used in preparing a "main dish" or a "dinner."

These are convenience foods that offer some ingredients needed for the main dish but do not contain the single most important ingredient. A "chicken casserole" preparation, for instance, would contain seasonings & other ingredients, but would not contain chicken.

Purpose of this regulation is to avoid confusing the consumer—to make it clear that the main ingredient is not in the package.

The regulation requires that the main panel of the product's label must clearly tell what significant ingredient must be added as well as naming the ingredients included in the package.

Manufacturers who order labels after Dec. 31, 1973, for such products must comply with this regulation; after Dec. 31, 1974, all labels on such products must comply.

Details—*Federal Register:* Aug. 2, page 20740.

Filled milk products

Oct. 1 is deadline for comments on a **Food & Drug Administration** (FDA) proposal to find a suitable common name for any milk product that contains a fat or oil other than milk-fat.

Previously, such products were called "filled milk," & under the Filled Milk Act of 1923, they were prohibited from being shipped in interstate commerce. In November 1972 a U.S. District Court decision declared the act unconstitutional. This new FDA proposal serves as notice that the agency does not plan to appeal the court's decision: From now on, FDA will not enforce the Filled Milk Act.

Instead, FDA is now seeking to set up appropriate standards & labeling for filled milk products. FDA invites consumer comments on the suitability of the word "filled" as a descriptive name & consumer suggestions for other words or phrases that might be more meaningful.

The proposal also specifies nutritional standards to be met by these milk products.

Details—*Federal Register:* Aug. 2, page 20748. Send comments to Hearing Clerk, Health, Education & Welfare Dept., 5600 Fishers Lane, Rockville, MD 20852.

Nonjuice beverages

Food & Drug Administration (FDA) has issued a regulation concerning the labeling of noncarbonated beverages whose flavoring, labeling or color suggest that they contain natural fruit or vegetable juice.

If, in fact, such a beverage does not contain fruit or vegetable juice, its label must indicate that there is no natural juice in the product. This indication must appear on the label as part of the product's name.

This regulation is meant especially to protect consumers in cases where the product's label suggests that the beverage is made from natural fruit or vegetable juice. The regulation applies to beverages in all forms: liquid, concentrated, dehydrated or powdered.

Manufacturers who order labels after Dec. 31, 1973, for such beverages must comply with this regulation; after Dec. 31, 1974, all labels on such products must comply.

Details—*Federal Register:* Aug. 2, page 20742.

Frozen 'heat & serve' dinners

Food & Drug Administration (FDA) has issued a final order spelling out the foods that must be included in a packaged frozen dinner & also describing how such a product must be labeled.

These frozen meals, often referred to as "TV dinners," must contain at least 3 foods; one must be a significant source of protein. Each dinner must consist of one or more of the following foods: meat, poultry, fish, cheese, eggs, vegetables, fruit, potatoes, rice or other cereal-based products (other than bread or rolls). In addition, such dinners may contain other foods, such as soup, biscuits, dessert.

The label on the package must have an accurate description of each of the 3 (or more) foods included in the dinner. These foods must be listed so that the first food mentioned is the one that weighs the most, the second is the next heaviest & so on.

Details—*Federal Register:* Aug. 2, page 20744.

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